

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MAY 20, 2008- -7:30 P.M.

Mayor Johnson convened the Regular City Council Meeting at 7:55 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

(08-209) Mayor Johnson addressed the Resolution of Appointment [paragraph no. 08-211] before the Consent Calendar.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(08-210) Presentation by Bill McCammon on the East Bay Regional Communications System.

Bill McCammon, East Bay Regional Communications System Authority Executive Director, gave a Power Point presentation.

Mayor Johnson stated that cities need to know infrastructure and ongoing operation and maintenance costs; inquired when said costs will be known.

Mr. McCammon responded CTA Communications is starting an evaluation next week; stated the second phase of CTA Communications' Contract is to help put together bid specifications for the remaining purchase of the system; the plan is to work with the Finance Committee in the next six months to get a handle on costs.

Mayor Johnson inquired whether grant funds would pay for the on-going operations and maintenance.

Mr. McCammon responded grant funds would be used to purchase infrastructure; stated on-going operation and maintenance costs would not qualify under grant funding and would be borne by local participating jurisdictions on a per-radio cost.

Mayor Johnson stated the City would not commit until costs are known.

Mr. McCammon stated no jurisdiction has committed beyond the \$100 per radio; each jurisdiction would have the opportunity to decide whether or not to continue.

Mayor Johnson inquired whether on-going operation and maintenance costs would be known within the next six months.

Mr. McCammon responded in the affirmative; stated being part of a regional system versus a stand-alone system allows for a 40% savings because of the economy of scale.

Councilmember Matarrese stated that he is concerned that Oakland is not part of the system; Oakland would be the first responder for a large event in Alameda; inquired whether staff is talking to Oakland.

The Fire Marshall responded Oakland has loaned Alameda compatible portable radios; Alameda and Oakland would have interoperability when both cities have the P25 Compliant Communications System in place.

Councilmember Matarrese inquired whether buying into Oakland's system would be cheaper, to which the Fire Marshall responded that he did not know.

Councilmember Matarrese stated staff should ask Oakland about the cost to have competition.

The Fire Marshall stated Alameda will be able to communicate with Oakland even though Oakland is not on the East Bay Regional Communications System (EBRCS); Lawrence Livermore National Laboratory and Alameda County Emergency Medical Services (EMS) District will be part of the EBRCS system; he would be glad to entertain discussions with Oakland.

Mayor Johnson inquired how much Alameda pays for the current system, to which the Fire Marshall responded said numbers would be provided.

Councilmember deHaan inquired whether the EBRCS would pyramid up to the State level.

Mr. McCammon responded the EBRCS would meet the guidelines; stated the systems would be able to connect together; State agencies would be able to roam onto the systems.

Councilmember deHaan inquired whether other counties are looking at the same system.

Mr. McCammon responded other counties are doing similar things; regional efforts are not as together as Alameda County.

Councilmember deHaan inquired whether Motorola is the only provider.

Mr. McCammon responded the first standard completed was for the common air interface which allows radios to work on P25 compliant systems; stated agencies will not be bound to Motorola radios.

Vice Mayor Tam stated the East Bay Municipal Utility District (EBMUD) uses the conventional system; inquired about other utilities, such as Pacific Gas & Electric (PG&E).

Mr. McCammon responded EBMUD would become a member; stated EBMUD sites are being used for infrastructure; discussions with PG&E would be initiated as things progress.

Councilmember Gilmore inquired how the system would future-proof itself.

Mr. McCammon responded changes are being made from analog to digital technology; stated digital technology requires software changes; fifteen years is a reasonable time for a digital platform; software upgrades would be needed, rather than whole scale hardware replacement.

Mayor Johnson inquired whether transmitters and repeaters would be Motorola.

Mr. McCammon responded the standard has not been flushed out; stated sites have to be tied into the same vendor system when a master site controller is bought; radios could be any vendor that works on the system.

Mayor Johnson inquired whether other vendors make systems that are not proprietary, to which Mr. McCammon responded in the negative.

Mayor Johnson inquired whether everything would be interoperable with the P25 Phase 2 compliance.

Mr. McCammon responded the standard has five suites; stated logistical problems would be created on how the Fire Department would be dispatched if Alameda decided to go with Oakland.

Councilmember deHaan inquired whether Alameda uses Nextel for some communications.

The Fire Marshall responded in the affirmative; stated Nextel has a direct connect; Nextel customer service and coverage is very poor

at this time; staff is evaluating different providers.

Councilmember deHaan inquired whether Nextel is low tech.

The Fire Marshall responded in the affirmative; stated Nextel is not reliable when there is a lot of radio traffic.

Councilmember deHaan inquired whether multiple systems would be used.

The Fire Marshall responded the P25 system would require only one system.

Mr. McCammon stated VHF (Very High Frequency) will never go away because of fire service Statewide responsibilities for mutual aid; the system will have a VHF overlay to handle rural areas.

Councilmember Gilmore inquired when the system would become operational.

Mr. McCammon responded some sites are being brought on now; stated he would expect the system to come to the western side of Alameda County late next year.

Councilmember Gilmore inquired whether the western side of Alameda County would be the first area.

Mr. McCammon responded units should be working in eastern Alameda County by the end of the year.

Councilmember Gilmore stated costs estimates should be available by the end of the year; inquired whether real-world field testing would be available once eastern Alameda County units are working.

Mr. McCammon responded in the affirmative; stated real-world testing would be done before anyone comes on to ensure that the system performs in the way it is designed to perform; ratios purchased would be compatible on the new system because Alameda is on the County's 800 MHz system.

Mayor Johnson inquired whether the EBRCS operates on 800 MHz.

Mr. McCammon responded in the affirmative; stated 700 MHz would be available and would fold into the system.

Mayor Johnson inquired whether there is enough 800 MHz capacity for the system right now.

Mr. McCammon responded in the affirmative; stated additional 800 MHz is not available; the body that allocates spectrum is allocating 700 MHz to regional systems only.

Mayor Johnson inquired whether Alameda could operate on the 700 MHz system, to which Mr. McCammon responded in the affirmative.

Mayor Johnson inquired whether the spectrums have capacity issues.

Mr. McCammon responded potentially; stated the system has been designed to take capacity issues into account; Alameda County has 21 channels; another 20 channels have been allocated to Contra Costa County; another 100 channels would become available in the 700 MHz spectrum; the system allows for priority access; public safety has the highest priority; San Diego County has a 800 MHz system; the 2003 fires had capacity issues; the system has been fixed and worked well during fires.

Mayor Johnson inquired whether San Diego County has a similar number of radios on the system.

Mr. McCammon responded in the affirmative; stated San Diego County has approximately 23,000 users on the system.

Mayor Johnson inquired whether San Diego County has as many jurisdictions as Alameda County, to which Mr. McCammon responded in the affirmative.

Councilmember Matarrese requested that the Power Point presentation be posted to the website and that Council receive hard copies of future Power Point presentations in the Council packet.

The City Manager stated presentations by outside sources do not belong to the City.

Councilmember Matarrese stated that staff has control over the agenda; people should provide presentation material ahead of time so that the material is in the packet and gets posted to the website.

The City Manager stated that staff can request said material.

Councilmember deHaan stated Power Point presentations are usually a summary; a full report would be more than adequate; Power Point presentations that do not have a report would be good to have ahead of time.

Councilmember Matarrese stated there is no reason to not have Power

Point presentations ahead of time in this electronic age.

Mayor Johnson stated a report would be more appropriate.

REGULAR AGENDA ITEM

(08-211) Resolution No. 14209, "Appointing Arthur A. Autorino as a Member of the Planning Board." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Councilmember Gilmore seconded the motion, which carried by unanimous voice vote - 5.

The City Clerk administered the Oath and presented a certificate of appointment to Mr. Autorino.

Mr. Autorino thanked Council for the opportunity to serve on the Economic Development Commission (EDC); stated he looks forward to serving on the Planning Board.

Councilmember deHaan stated Mr. Autorino left the EDC; the EDC currently has one vacancy and two more are anticipated; keeping the EDC at full capacity is a top priority.

CONSENT CALENDAR

Mayor Johnson announced that the Recommendation to accept the Quarterly Sales Tax Report [paragraph no. 08-214] and Resolution Approving an Amendment to Memorandum of Understanding [paragraph no. 08-220] were removed from the Consent Calendar for discussion.

Councilmember Matarrese moved approval of the remainder of the Consent Calendar.

Vice Mayor Tam seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*08-212) Minutes of the Regular City Council Meeting held on April 1, 2008; and the Special City Council Meeting of May 6, 2008. Approved.

(*08-213) Ratified bills in the amount of \$2,142,477.91.

(08-214) Recommendation to accept the Quarterly Sales Tax Report for the period ending December 31, 2007.

The Finance Director gave a brief presentation.

Mayor Johnson inquired why Marina Village has a 17.3% decline.

The Finance Director responded Marina Village has a number of vacancies; stated further information can be provided in an Off Agenda Report.

Mayor Johnson stated staff needs to talk to Marina Village managers regarding the decline.

The Finance Director stated Development Services staff follows up on areas with significant declines in order to ascertain which businesses are in flux.

Mayor Johnson stated Alameda Towne Center is up by 10%; Park Street is up also; the overall increase is important; stated the previous report had a comparison to other cities.

The Finance Director stated the attachment shows comparisons to the Statewide and Countywide average.

Mayor Johnson stated having other city comparisons would be good.

The Finance Director stated that there was no change from last quarter.

Mayor Johnson stated information should be provided anyway; people have not had an opportunity to spend money in Alameda in the past.

The Finance Director stated the number one category is restaurants and has been for two quarters; Monterey County is the only other area that lists restaurants as the primarily sales tax generator.

Vice Mayor Tam stated the table on Page 2 shows the "All Other Areas" category at -9.4%; new businesses are coming to Harbor Bay Business Park; inquired what impact Harbor Bay Business Park has had in the "All Other Areas" category.

The Finance Director responded the majority of businesses coming to Harbor Bay Business Park do not generate sales tax; said businesses are research and development type firms; Harbor Bay Business Park has not been included as a specific geographic area.

Vice Mayor Tam inquired whether hotel tax is a separate tax, to which the Finance Director responded in the affirmative.

Vice Mayor Tam stated the historical gross sales tax per capita

comparison shows a snapshot of every fourth quarter since 1997; Statewide comparisons seem to be leveling off, but Alameda County is on an upward tick; the City seems to be having a downward trend; it is not clear whether the chart indicates trending or just a snapshot of the fourth quarter.

The Finance Director stated the comparison is a snapshot; the Sales Tax Consultant produced the graph; advances are given during the first two months of the quarter; a true up is given the last month of the quarter; a final true up is given the first month of the next quarter; she is not sure whether a comparison can be done other than as a quarterly snapshot.

Vice Mayor Tam inquired about trending.

The Finance Director stated trending is stable and has been within half a percent up and down.

Mayor Johnson stated that Harbor Bay Business Park should be shown as a separate area; Harbor Bay Business Park businesses do not provide revenue to the City; stated that Clif Bar is not a sales tax generator.

The Finance Director stated that staff would work with the Sales Tax Consultant; information will be provided in the next Quarterly Sales Tax Report.

Councilmember deHaan stated that breaking down Marina Village retail would be advantageous also; increased food product transactions indicate that people are coming into Alameda.

Vice Mayor Tam moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(*08-215) Recommendation to authorize Call for Bids for Legal Advertising for Fiscal Year ending June 30, 2009. Accepted.

(*08-216) Recommendation to accept the work of Cummins West, Inc., for the provision of two main engines for the Peralta. Accepted.

(*08-217) Recommendation to accept the work of E.A. Sparacino General Contractor, Inc. for the roof structure for the Maintenance Service Center transfer pad and dumpsters, No. P.W. 04-07-14. Accepted.

(*08-218) Recommendation to award a Contract in the amount of

\$504,334 including contingencies, to Redgwick Construction for Fernside Boulevard bike path and street improvements, San Jose Avenue to north of Otis Drive, No. P.W. 03-08-10. Accepted.

(*08-219) Recommendation to set a Public Hearing for delinquent integrated Waste Management charges for June 17, 2008. Accepted.

(08-220) Resolution No. 14210, "Approving an Amendment to Memorandum of Understanding between the Management and Confidential Employees Association and the City of Alameda for the Period Commencing January 1, 2005 and Ending December 20, 2008." Adopted.

The Human Resources Director gave a brief presentation.

Mayor Johnson stated Council is very happy that the Management and Confidential Employees Association (MCEA) consented to enter into an agreement to extend the existing Memorandum of Understanding for one year; requested that the Building Official advise who is in MCEA; stated MCEA came forward before negotiations started.

The Building Official stated MCEA consists of approximately 130 members; the MCEA is fully aware of the City's revenue issues and thought that it was important to make the offer to the City; 80% of the membership was in favor of the recommendation.

Mayor Johnson requested that the Building Official pass on Council's appreciation.

The Building Official stated that he would be happy to do so.

Councilmember Gilmore moved adoption of the resolution.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(*08-221) Resolution No. 14211, "Intention to Levy an Annual Assessment on the Alameda Business Improvement Area of the City of Alameda for Fiscal Year 2008-2009 and Set a Public Hearing for June 3, 2008." Adopted.

(*08-222) Ordinance No. 2981, "Amending the Alameda Municipal Code by Amending Chapter XIII (Building and Housing) by Creating a Civic Green Building Ordinance." Finally passed.

REGULAR AGENDA ITEM

(08-223) Resolution No. 14212, "Implementing the National Incident Management System (NIMS) as the Official Regulatory Guidance for

Emergency Response, Preparedness, Mitigation, Prevention and Recovery within the City of Alameda." Adopted.

The Disaster Preparedness Officer gave a brief presentation.

Mayor Johnson stated Council should understand what NIMS is before adopting the resolution; Council wants to have a clear understanding of the NIMS technical requirements.

Councilmember Gilmore stated the State has a system in place; the federal government bases its system on what the State does; inquired what the City and Fire Department would have to do different operationally.

The Disaster Preparedness Officer responded the current Standardized Emergency Management System (SEMS) requires the City to identify an Emergency Operations Center, use said Center in the event of a disaster, and document expenses; stated said requirements are already in place; the federal government adopted the State's system; the federal government wants training to include the federal model of Command in Control as opposed to the State's model, which is essentially the same; Alameda County and a number of cities within Alameda County have adopted NIMS.

Mayor Johnson inquired how much money Alameda receives from the federal government.

The Disaster Preparedness Officer responded that he is not sure; stated Alameda receives \$22,000 per year to support the Community Emergency Response Team (CERT) Program; the City would be eligible for other programs.

Mayor Johnson stated Alameda receives very little money through Homeland Security; it is important to know the costs to implement NIMS.

The Disaster Preparedness Officer stated costs could be provided; moving forward with the updated Emergency Operations Plan (EOP) is part of the reason for implementing NIMS.

Councilmember Gilmore stated the City is already doing everything required; Council would be adopting NIMS which would allow the City to scrape and fight for federal funds.

Councilmember deHaan inquired whether the City is doing everything required.

The Disaster Preparedness Officer responded the first compliance

issue was simply to use the Incident Command System (ICS); stated members have been trained to work in the EOP Center; the second step would be to adopt NIMS.

Councilmember deHaan inquired when the County adopted NIMS, to which the Disaster Preparedness Officer responded last fall.

Councilmember deHaan inquired whether any changes have taken place.

The Disaster Preparedness Officer responded in the negative; stated resource tracking is one new element of NIMS.

Councilmember deHaan moved adoption of the resolution.

Councilmember Gilmore seconded the motion, which carried by unanimous voice vote - 5.

ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL REFERRALS

(08-224) Consideration of establishing an Economic Sustainability Committee.

Councilmember Matarrese stated establishing an Economic Sustainability Committee is time critical because of the budget path layout; the State budget will not be adopted at the same time as the City's budget; the City's budget will need to be adjusted, depending upon what the State does; recovery is a long way off; time should be used now to establish a Task Force or committee to discuss retirements benefits, revenue versus expenses, and the true costs of services.

Mayor Johnson stated Councilmember deHaan previously mentioned a Blue Ribbon committee that would consist of people familiar with the issues and who would be available to advise management and Council about long-term budget issues.

Councilmember deHaan stated the City Treasurer and Auditor should be included.

Mayor Johnson stated community members should be included; there needs to be an opportunity to educate people.

Councilmember Matarrese stated that starting the process for establishing a committee is imperative so that there is a committee

once the budget is adopted.

Mayor Johnson stated it is easy for people to be uninformed but provide lots of opinions; the committee could consist of fifteen or twenty members.

Councilmember Gilmore stated economic stability is a long-term process and should not only include the City budget but should also have a component such as a rainy day fund so that the City is not at the whim of the State budget; the committee would need to make plans to weather the storm.

Councilmember deHaan stated it is never too soon to start a committee; budget information could be shared with the committee; suggested that the City Manager come back with a recommendation; all municipalities are starting to have an uneasy feeling.

Vice Mayor Tam stated that Alameda is better off than other cities because of reserves; the City and County of San Francisco was able to spot some cost offset for the School District because it developed a rainy day fund; taxpayers, community businesses, the media, School District, and hospital representatives were involved in the discussions; the San Francisco model was a short duration and resulted in a voter initiative that established a rainy day fund; the City is very tight on resources now; she would like to get a feel for how much staff time would be required and staffing recommendations.

Councilmember Gilmore stated bringing together diverse groups and interests is more about community welfare, not the economic stability of the City.

Councilmember Matarrese stated the City had an Economic Development Strategic Plan Task Force; the Task Force had a limit duration, specific end points, and a large cast of people representing various sectors of the community, including the School District; a prospective should be available on what the costs were.

Mayor Johnson stated that she would like to emphasize reviewing true long-term costs for long-term commitments.

Councilmember Matarrese suggested using the ten-year planning tool the City invested in a couple of years ago.

Councilmember deHaan inquired whether the City Manager could be tasked with how the Economic Sustainability Committee would be structured, to which the City Manager responded in the affirmative.

Councilmember deHaan stated one or two Councilmembers could work with the City Manager on the matter.

Mayor Johnson inquired whether Councilmembers deHaan and Matarrese would work with the City Manager, to which Councilmembers deHaan and Matarrese responded in the affirmative.

COUNCIL COMMUNICATIONS

None.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL AND
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING
TUESDAY- -MAY 20, 2008- -6:00 P.M.

Mayor/Chair Johnson convened the Special Meeting at 6:05 p.m.

ROLL CALL - Present: Councilmembers/Commissioners deHaan,
Gilmore, Matarrese, Tam, and Mayor/Chair
Johnson - 5.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(08-208CC) Conference with Labor Negotiators: Agency Negotiators:
Craig Jory and Human Resources Director; Employee Organizations:
All Public Safety Bargaining Units.

(08-27CIC) Conference with Real Property Negotiators; Property:
Fleet Industrial Supply Center (Alameda Landing); Negotiating
parties: CIC and Catellus; Under negotiation: Price and terms.

Following the Closed Session, the Special Meeting was reconvened
and Mayor/Chair Johnson announced that regarding Labor, Council
received a briefing from its Labor Negotiators; regarding Real
Property, the Commission received a briefing from its Real Property
Negotiators regarding potential amendments to price and terms
requested by Catellus on the Alameda Landing Disposition and
Development Agreement; no action was taken.

Adjournment

There being no further business, Mayor/Chair Johnson adjourned
the Special Meeting at 7:30 p.m.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, Community Improvement
Commission

The agenda for this meeting was posted in accordance with the Brown
Act.

MINUTES OF THE SPECIAL JOINT CITY COUNCIL,
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY (ARRA), AND
COMMUNITY IMPROVEMENT COMMISSION (CIC) MEETING
TUESDAY- -MAY 20, 2008- -7:31 P.M.

Mayor/Chair Johnson convened the Special Meeting at 9:30 p.m.

ROLL CALL - Present: Councilmembers/Board Members/Commissioners
deHaan, Gilmore, Matarrese, Tam, and
Mayor/Chair Johnson - 5.

Absent: None.

CONSENT

Vice Mayor/Commissioner Tam moved approval of the Consent Calendar.

Councilmember/Commissioner deHaan seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*08-225CC/*08-28CIC) Minutes of the Special Joint City Council, Community Improvement Commission, and Housing Authority Board of Commissioners Meeting of May 6, 2008. Approved.

(*08-226CC/*08-29CIC) Recommendation to accept the Fiscal Year Third Quarter Financial Report and budget adjustments. Accepted.

AGENDA ITEM

(*ARRA/08-30CIC) Workshop on FY 2008-09 ARRA and CIC Budgets.

The Development Services Director gave a Power Point presentation on the CIC and ARRA budgets.

The ARRA budget discussion is included in the ARRA Minutes record.

Following the ARRA discussion, Commissioner deHaan inquired whether the budget includes any funds that are obligated to another entity, such as the Alameda Unified School District (AUSD).

The Development Services Director responded staff nets out all obligations; the Business and Waterfront Improvement Project (BWIP) and West End Community Improvement Project (WECIP) unrestricted cash flow shows that staff nets out all obligations; the line which reads pass through to taxing entities includes AUSD; an audit was

conducted of the last five years; a one time adjustment of \$300,000 is being made this year; the audit was done because the formulas for each entity differ; numbers are different if they are pre-1994, post-1994 and from separate negotiated agreements; 90% of entities were not doing the calculations correctly; the right formula will be used in the future; the same person will work with AUSD to correct its reporting.

Commissioner deHaan requested a final report on the matter.

Chair Johnson stated the extreme diversity of the Development Services Department's projects is amazing; the Department does not have a very large staff.

Commissioner Gilmore stated the budget is complex; thanked the Development Services and Finance Departments; stated the Commission is in charge of the budget; if the Commissioners do not know where the money is going and where revenues are coming from they would be in trouble.

The Development Services Director thanked Finance for being accommodating in the creation of the cash flow spreadsheet.

Commissioner Matarrese stated the budget presentation was very clear, which is particularly important when the budget news is not good.

ADJOURNMENT

(08-227CC/08-31CIC) At the request of Councilmember/Commissioner deHaan, Mayor/Chair Johnson adjourned the Special Joint Meeting at 10:55 p.m. in a moment of silence in honor of the recent natural disaster victims.

Respectfully submitted,

Lara Weisiger, City Clerk
Secretary, Community Improvement
Commission

The agenda for this meeting was posted in accordance with the Brown Act.